

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

LUIS HERNANDEZ

PLAINTIFF

v.

Civil No. 05-5194

SHERIFF KEITH FERGUSON;
and DR. NEIL MULLINS

DEFENDANTS

O R D E R

Now on this 20th day of June, 2007, comes on for consideration the **Magistrate Judge's Report and Recommendation** (document #32, filed May 23, 2007), in this matter, to which no objections have been filed, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, defendants' motion to dismiss is hereby **granted and this action is dismissed with prejudice**.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE